UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/806,694	04/04/2001	Behnam Azvine	36-1449	5931

23117	7590	06/15/2006

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EXAMINER
BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
2195	

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)	
Office Action Summary	09/806,694	AZVINE ET AL.	
	Examiner	Art Unit	
	Lewis A. Bullock, Jr.	2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>01 February 2006</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-10,12 and 16-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-10,12 and 16-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>04 April 2001</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Specification

1.   The abstract of the disclosure is objected to because it contains an indication of a

figure. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-10, 12 and 16-20 are rejected under 35 U.S.C. 102(e) as being

anticipated by JEYACHANDRAN (U.S. Patent Application 2001/0051887 A1).

As to claim 20, JEYACHANDRAN teaches a method of controlling a computer

information system interface with a human user so as to control the user's

communication load, the method comprising: accepting a user's input request to the

computer information system for information to be returned to that user (via a task

request by a user / updating a schedule by a user / etc.); and automatically scheduling

delivery of the requested information to the user at a time (notification time) that avoids

interfering activities as identified in a schedule of activities for the user that is

maintained by the computer information system (via the information processing

apparatus placing a notification task in the task table to send to the user at its

designated notification time) (pg. 1, paragraph 0007, 0008-00011; pg. 4, paragraph

0096, 0100-0105; pg. 14, paragraph 0258-0268; pg. 21, paragraph 0368-0379; pg. 24,

paragraph 0425 – pg. 25, paragraph 0437).

As to claim 1, JEYACHANDRAN teaches an apparatus for controlling the

communication loads placed upon a human user by a computer system, the computer

system comprising a plurality of information management systems (information

processing apparatus), each of the information management systems being operable to

assist and communicate with the human user (via the user sending tasks to the

information processing apparatuses and they relaying a notification or results back to

the user), the apparatus comprising: receiving means for receiving at least one input

from a human user, representative of at least one task of a first type to be performed by

the information management system and for receiving information resulting from the

performance of said at least one task of the first type from the information management

system (via the user sending tasks, i.e. print request / scheduling updates / etc., to the

information processing apparatuses and they relaying a notification or results back to

the user); generating means for generating a task (notification task) of a second type for

communicating the received information to the human user; scheduling means for;

receiving a user workload input (user's schedule) representative of user workload

identifying the human user's current and future activities; and scheduling an execution

time (notification time) for the at least one task of a second type for communicating the

received information to the human user so as to avoid the user's current and future

activities identified by the user workload input (via the information processors

scheduling the notification task based on the user's schedule and location to send the

notification and/or results to the user) (pg. 1, paragraph 0007, 0008-00011; pg. 4,

paragraph 0096, 0100-0105; pg. 14, paragraph 0258-0268; pg. 21, paragraph 0368-

0379; pg. 24, paragraph 0425 – pg. 25, paragraph 0437).

As to claim 2, JEYACHANDRAN teaches when the input comprises a change to

previously received input, scheduling means is operable to change the execution time

associated with the previously received input thereby rescheduling communication of

the information associated with the previously received input (via the task is a

scheduling update and the notification times are adjustable based on the user's

schedule) (pg. 1, paragraph 0007, 0008-00011; pg. 4, paragraph 0096, 0100-0105; pg.

14, paragraph 0258-0268; pg. 21, paragraph 0368-0379; pg. 24, paragraph 0425 – pg.

25, paragraph 0437).

As to claim 3, JEYACHANDRAN teaches the apparatus further includes a world

model (presence information), which world model comprises at least one parameter

association with each input, and is accessible to the scheduling means (via the

information processing apparatus uses presence information to determine the

notification time) (see page 18, paragraphs 0320 – 0328) (see also pg. 1, paragraph

0007, 0008-00011; pg. 4, paragraph 0096, 0100-0105; pg. 14, paragraph 0258-0268;

pg. 21, paragraph 0368-0379; pg. 24, paragraph 0425 – pg. 25, paragraph 0437).

As to claim 4, JEYACHANDRAN teaches the parameters include at least one of

a start time of each task, a deadline time of each task, a duration of the or each task,

and/or interruption status of the human user (via the information processing

apparatuses using both presence information and the user's schedule which would

have the variables of start time and duration to indicate determine a notification time)

(pg. 1, paragraph 0007, 0008-00011; pg. 4, paragraph 0096, 0100-0105; pg. 14,

paragraph 0258-0268; pg. 21, paragraph 0368-0379; pg. 24, paragraph 0425 – pg. 25,

paragraph 0437).

As to claim 5, JEYACHANDRAN teaches an entity (information processing

apparatus) can explicitly specify the interruption status for allowing or not allowing

interruptions to the human user (via the information processing apparatuses having the

ability to either display all notifications for a user or not displaying the notifications to a

user when the user is not available) (pg. 1, paragraph 0007, 0008-00011; pg. 4,

paragraph 0096, 0100-0105; pg. 14, paragraph 0258-0268; pg. 21, paragraph 0368-

0379; pg. 24, paragraph 0425 – pg. 25, paragraph 0437).

As to claim 6, JEYACHANDRAN teaches means for storing human user

preference information (via task information indicating how the task should be

performed), which user preference information includes preferred actions of the human

user relating to task information (pg. 3, paragraph 0089-0092).

As to claim 7, JEYACHANDRAN teaches the world model is maintained by a

diary that is responsive to inputs from the execution means and schedules execution of

the task to occur in a free timeslot of the diary (via the information processing apparatus

maintaining the users schedule of tasks) (pg. 1, paragraph 0007, 0008-00011; pg. 4,

paragraph 0096, 0100-0105; pg. 14, paragraph 0258-0268; pg. 21, paragraph 0368-

0379; pg. 24, paragraph 0425 – pg. 25, paragraph 0437).

As to claim 8, JEYACHANDRAN teaches the apparatus is operable to

concurrently execute a plurality of processes (via monitoring the state of other

information processing units and receive tasks) (pg. 4, paragraph 0096).

As to claim 9, JEYACHANDRAN teaches the information management systems

include at least one of a diary assistant, an email assistant, a telephone assistant, and a

web assistant (via the information processing apparatus maintaining the users schedule

of tasks and sends notification task to the user at a notification time) (pg. 1, paragraph

0007, 0008-00011; pg. 4, paragraph 0096, 0100-0105; pg. 14, paragraph 0258-0268;

pg. 21, paragraph 0368-0379; pg. 24, paragraph 0425 – pg. 25, paragraph 0437).

As to claim 10, JEYACHANDRAN teaches means responsive to an input signal indicative of a state of mind of a human user, wherein the scheduling means is further arranged to schedule an execution time for a task in dependence on the received input (via sending a notification task to a user at a notification time based on the presence data and the schedule and if the intentions of the user) (via the information processing apparatus maintaining the users schedule of tasks, i.e. if the user was heading to the meeting) (pg. 1, paragraph 0007, 0008-00011; pg. 4, paragraph 0096, 0100-0105; pg. 14, paragraph 0258-0268; pg. 21, paragraph 0368-0379; pg. 24, paragraph 0425 – pg. 25, paragraph 0437).

As to claim 12, JEYACHANDRAN teaches receiving means is further operable to receive the input indicative of an interruption status for the user (via the information processing apparatuses having the ability to either display all notifications for a user or not displaying the notifications to a user when the user is not available) (pg. 1, paragraph 0007, 0008-00011; pg. 4, paragraph 0096, 0100-0105; pg. 14, paragraph 0258-0268; pg. 21, paragraph 0368-0379; pg. 24, paragraph 0425 – pg. 25, paragraph 0437).

As to claim 17, reference is made to a method that corresponds to the apparatus of claim 1 and is therefore met by the rejection of claim 1 above.

As to claim 16, reference is made to a computer program that cause a computer to perform the method according to claim 17 and is therefore met by the rejection of claim 17 above (see page 1, paragraph 0015-0017).

As to claim 18, JEYACHANDRAN teaches enabling of the information management systems to perform the task of a second type at the scheduled execution time (via perform the notification task at a notification time) (pg. 1, paragraph 0007, 0008-00011; pg. 4, paragraph 0096, 0100-0105; pg. 14, paragraph 0258-0268; pg. 21, paragraph 0368-0379; pg. 24, paragraph 0425 – pg. 25, paragraph 0437).

As to claim 19, JEYACHANDRAN teaches a data carrier (computer-readabe storage medium) containing computer code for loading into a computer for the performance of the method of claim 17 and is therefore met by the rejection of claim 17 above (see page 1, paragraph 0015-0017).

Response to Arguments

4.   Applicant's arguments with respect to claims 1-10, 12 and 16-20 have been considered but are moot in view of the new ground(s) of rejection.
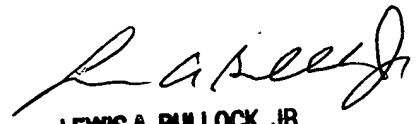
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571)

272-3759. The examiner can normally be reached on Monday-Friday, 8:30 a.m. - 5:00

p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LEWIS A. BULLOCK, JR.
PRIMARY EXAMINER

June 12, 2006